

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

ORDER

04-CR-6185L

v.

MOHK TAR SAEED,

Defendant.

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The defendant, Mohktar Saeed (“Saeed”), moved this Court on February 26, 2007, pursuant to FED. R. CRIM. P. 32 and 28 U.S.C. § 2255, to withdraw his plea of guilty on December 15, 2004, to a one count information charging him with a violation of 7 U.S.C. § 2024(b). There being no opposition to said motion, it is hereby

ORDERED that Saeed’s motion to withdraw his plea of guilty to a violation of 7 U.S.C. § 2024(b), which was entered on December 15, 2004, is hereby granted. The motion is granted based on a violation of defendant’s constitutional due process rights and for a violation of the Sixth Amendment right to effective assistance of counsel; and it is further

ORDERED that the Judgment and Commitment entered on July 18, 2006 (Dkt. #30), is hereby vacated in all respects; and it is further

ORDERED that defendant be released on his own recognizance on the pending criminal charge in this Court.

IT IS SO ORDERED.

  
A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line. The signature is fluid and cursive.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
February 27, 2007.